

From: tabelmann@bankfirst.com [<mailto:tabelmann@bankfirst.com>]
Sent: Monday, September 27, 2010 8:08 AM
To: Comments
Subject: Proposed FDIC Guidance on Overdraft Coverage

Thomas Abelmann
1031 West Morse Blvd. #323
Winter Park, FL 32789-3750

September 27, 2010

Comments to FDIC

Dear Comments to FDIC:

By electronic delivery to:
OverdraftComments@fdic.gov

Federal Deposit Insurance Corporation
550 17th Street, NW
Washington, DC 20429-9990

Re: Overdraft Payment Supervisory Guidance, FIL-47-2010, August 11, 2010

Dear Sir or Madame:

I am Senior EVP of a \$600 million bank in central Florida and wish to express my thoughts on the FDIC's proposed guidance (FIL-47-2010).

I strongly oppose the FDIC's proposed guidance that addresses overdraft coverage programs. Simply put it is inappropriate for the FDIC to unilaterally introduce further regulation targeted at overdraft coverage products directly on the heels of, and in an attempt to pre-empt the mission underlying the creation of the CFPA. Additional rules should be the result of an inter-agency effort to ensure consistency and fairness in its application for both banks and the customers we serve, and not an attempt to garner favor with Congress in an attempt to appear "tough on banks".

My bank and others have just implemented new requirements under Regulation DD (Truth in Savings) and Regulation E (Electronic Fund Transfers) at great expense and manpower. Our customers overwhelmingly opted in", demonstrating the value that real customers (as opposed to "advocates") perceive in the service. Having to rework our bank's deposit products and to accommodate a regulatory moving target does not help my bank serve its customers.

My bank does not and has never manipulated transaction processing to generate more fees and higher revenue. We cap daily fees and we voluntarily limit the minimum amount of an overdraft that would trigger any fee whatsoever. Unlike the Wall Street Banks who's most gregarious practices have largely escaped effective regulation, as a community bank we are accountable to our community and our success is dependent on a mutually beneficially relationship with customers. If we engaged in "price-gouging" tactics, we COULD NOT do business in our community.

I fully expect that this proposal will ultimately do a great disservice to my customers, many of which appreciate the assurances that accidental overdraft coverage offers in preventing a bill being returned unpaid or a merchant-imposed fee being levied. If regulatory barriers and requirements become too burdensome, I will have no choice but to discontinuing these services and return all check and ACH transactions, exposing my customers to fees far greater than those imposed by my bank. This will also spell the death of "free checking" products which are largely justified on the basis of ODP revenues.

I urge the FDIC to carefully consider this measure to ensure that the guidance does not impede my bank's ability to provide overdraft coverage services to my customers. If we are forced to abandon or significantly alter these services due to regulatory burden, the result could lead more consumers into becoming unbanked or relying on other products such as prepaid debit cards and check cashing services, which have higher fees and foster unsound financial practices.

Sincerely,
Thomas P. Abelmann
407-622-3183